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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
<http://www.epa.gov/region08>

March 2, 2001

Ref: ENF-L

BY FACSIMILE AND U.S. MAIL

Tom Lewis, Esq.
Lewis, Huppert & Slovak, P.C.
P.O. Box 2325
725 3rd Avenue North
Great Falls, Montana 59403

Dear Mr. Lewis:

Thank you for sending the signed compensation agreement and affidavits. I have reviewed the agreement and am ready to have it signed by EPA. However, in reviewing the affidavits, I have found an issue that needs resolution prior to execution of the agreement. Your clients indicate that they had no knowledge of the asbestos on their property until November, 1999. In reviewing EPA documents, I have found a letter dated November 29, 1994 in which the author, Michael Crill, notifies the EPA that he believes the Parker property is contaminated with asbestos. In that letter, Mr. Crill indicates that he "wrote a letter to those living [their], to warn them of hazard to asbestos exposure and told them if they have any doubts to contact EPA." I have enclosed that letter for your review. Please provide information which either rectifies the apparent contradiction or that indicates the Parkers were not aware of this information.

In addition, a normal part of EPA's review concerns a party's due diligence when purchasing the property in question. Please have the Parkers provide some information on this topic.

Sincerely,

Matthew Cohn
Legal Enforcement Program

Enclosure

cc: Paul Peronard
Kelcey Land



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Michael Ceill
P.O. Box 242
Libby Montana 59923
406-293-6974

11-29-94

RECEIVED
DEC 5 1994
vpg

DEAR VERONICA:

GREETINGS. ITS BEEN AWHILE SINCE WE TALKED AND I DO WANT TO THANK YOU FOR YOUR INVOLVEMENT & CONCERNS IN ADDRESSING ASBESTOS/NO DEMOLITION PERMIT, VIOLATIONS AT THE W.T. GRACE ZONOLITE Mine here in Libby, WHICH RESULTED IN GRACE TAKING RESPONSIBILITY FOR THEIR ACTIONS & BEING FINED, ETC.

I WOULD LIKE TO BRING TO YOUR ATTENTION, BEING WE BOTH ARE EDUCATED IN THIS ISSUE AND THIS SITE IN PARTICULAR, TO THE HAZARDS AND EXISTENCE TO EXPOSURE OF ASBESTOS, THAT I DO HAVE A CONCERN FOR EXPOSURE TO HUMANS.

I HAVE STUDIED THE EIS REPORT AND CLEAN-UP OF THIS SITE AND STILL ^{SOME} ~~ANOTHER~~ ISSUES STILL EXIST. LETS KEEP IN MIND THAT MY MAIN CONCERN IS EXPOSURE TO ASBESTOS AND IT'S EFFECTS TO THOSE EXPOSED AND THIS OF COURSE IS WHY I AM ADDRESSING THIS.

VERONICA, THIS SITE WHERE THE BUILDINGS ~~WERE~~ WERE DEMOL'D, BY THE RIVER, IS CONTAMINATED WITH ASBESTOS. ONE OF THE CONCERNS IN THE EIS REPORT WAS DUST & PARTICUL CONTROL FOR WHICH TO MAINTAIN A SAFE ENVIRONMENT, WATER WOULD HAVE TO BE ADMINISTERED DAILY, AS IN THE ROAD TO THE MINE FROM THE HWYWAY, WHICH IS POSTED NO TRESPASSING BUT IT COSTS TOO MUCH TO MAINTAIN, TO MEET STANDARDS FOR PUBLIC USE.

SO ON THIS SITE VERONICA, EXISTS A HOME/BUSINESS, WHICH IS A NURSERY WITH GROW HOUSES THAT CONTAIN LARGE FANS FOR VENTILATION & AIR. A FEW MONTHS AGO, I NOTICED A CHILD'S SWING SET IN THE YARD AND THE THOUGHT OF EXPOSURE TO THOSE KIDS, I WROTE A LETTER TO THOSE LIVING THERE, TO WARN THEM OF HAZARD TO ASBESTOS EXPOSURE AND TOLD THEM IF THEY HAD ANY DOUBTS TO CONTACT EPA. I DIDN'T SIGN THE LETTER BUT I FELT THEY NEEDED TO KNOW THE HAZARDS.

VERONICA, I KNOW WHEN THE WIND BLOWS, AUTO TRAFFIC, EVEN KIDS RUNNING WHEN PLAYING, CREATE THE DUST TO POSSIBLE EXPOSURE AND I FIND IT HARD TO UNDERSTAND, KNOWING WHAT IS KNOWN ABOUT ASBESTOS AND HOW IT DESTROYS ~~THIRDS~~ LIFE (I SHOULD KNOW) HOW CAN THIS FAMILY EXIST ON THIS SITE ~~ASIA~~ ~~WIFE~~ WAS THEY NOT TOLD OF THE HAZARDS OF THIS SITE. Someone is responsible Veronica and for the SALES OF THE CHILDREN, IF NOTHING ELSE, I FEEL THIS MATTER WARRENTS SOMETHING TO BE DONE. NO ONE SHOULD HAVE TO LIVE WITH EXPOSURE OF THIS DEADLY ONE AND ALL THE SUFFERING & PAIN TO ALL LOVED ONES INVOLVED. I GUESS THIS IS WHY I'M SO CONCERNED ABOUT THIS SITE, THEIR BEEN ENOUGH SUFFERING BECAUSE OF ~~WACE~~ ASBESTOS.

Please if you can, keep my name confidential. Even thou I AM doing the right thing, many just don't understand nor CARE AS I DO. Anything you can do to address this matter, as before, I would be forever grateful and that family would too, I'm sure... Take care & God Bless. Please keep me informed. Thanks...

Sincerely

Michael Cull

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